IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2639 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE AKSHAY H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAJKOT NAGRIK SAHAKARI BANK LTD

Versus

YOGESH KANAIYALAL DAVE

Appearance:

1. Special Civil Application No. 2639 of 1997

MR RD DAVE for Petitioner No. 1

MR TR MISHRA for Respondent No. 1

CORAM : MR.JUSTICE AKSHAY H.MEHTA

Date of decision: 14/08/2002

ORAL JUDGEMENT

1. The petitioner has challenged before this Court the award dated 8th October, 1996 passed in BIR Application No. 44 of 1992 by the Labour Court, Rajkot

and the order dated 27th December, 1996 passed by the Industrial Court, Rajkot in Appeal No. 3/1996 confirming the award.

2. Today the learned counsels for the petitioner as well as the respondent placed before me affidavit/Pursis dated 7th August, 2002 which indicates that the parties have arrived at amicable settlement outside the Court. As per the said settlement all the claims/disputes of the respondent stand settled with the petitioner bank including the disputes and claims arising under the award passed by the Labour Court, Rajkot in the aforesaid proceedings.

3. Because of the settlement, the impugned award will not survive. In view of this development, the petitioner seeks permission to withdraw this petition. Permission is granted. Petition stands disposed of as withdrawn. Rule discharged. Interim relief granted earlier stands vacated. No order as to costs.

[Akshay H. Mehta, J.]

* Pansala.